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ABSTRACT

This guide for state and local educators identifies statutory requirements regarding nonprofit private school student access to publicly funded vocational education programs. It provides a reference to these statutes and discusses implementation issues. Section 1, introduction, provides the philosophic framework and background information concerning education in Pennsylvania. Section 2 contains federal legislative provisions regarding nonprofit private schools and vocational education which apply to three areas: cooperative vocational education programs, special programs for the disadvantaged, and exemplary and innovative programs. Section 3 identifies specific statutory references in the Pennsylvania School Code which relate to the provision of access of nonprofit, private school students to publicly funded vocational programs. In section 4 are presented operational issues which confront administrators and some practical suggestions for addressing them. They are identification of nonprofit private schools, publicizing the benefits and opportunities for vocational education programs, assessing student needs for vocational education, and communication strategies. Section 5 addresses five of the more frequent questions raised by local educational administrators. They are presented in question-and-answer format. Possible alternative solutions are indicated. An appendix gives federal rules and regulations for vocational education legislation, Public Law 94-485, that relate to nonprofit private school students. (YLB)

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A PROCEDURAL GUIDE FOR PROVIDING ACCESS FOR NONPROFIT, PRIVATE SCHOOL STUDENTS TO PUBLICLY FUNDED VOCATIONAL EDUCATION PROGRAMS

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Submitted to:
Pennsylvania Department of Education
Harrisburg, PA

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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SECTION I. INTRODUCTION:

In March 1980, the Pennsylvania Department of Education funded a project to prepare a procedural guide for state and local educators regarding the access of nonprofit private school students to public vocational education programs. The project was initiated to assist educators regarding nonprofit private school students' participation in public vocational education programs as provided by the Vocational Educational Amendments of 1976, P.L.94-482 and the laws of the Commonwealth of Pennsylvania.

A. Purposes of the Procedural Guide

The purposes of the Guide are to identify for state and local educators the statutory requirements regarding nonprofit private school student access to publicly funded vocational education programs; to provide a ready reference to these statutes, and to discuss implementation issues which occur. The purposes will be accomplished by addressing the following areas in this Guide:

- The intent and requirements of federal legislation
- A review of relevant state legislation and Pennsylvania Department of Education rules and regulations
- Practical suggestions regarding nonprofit private school student access to public vocational education programs and
- A Question and Answer section which addresses implementation issues and offers alternative solutions

B. Philosophic Framework

The Commonwealth of Pennsylvania has a solid legislative framework upon which a history of cooperative arrangements between public and nonprofit private schools has been built. Many sound examples of cooperative arrangements exit in Pennsylvania due to cooperation of local school districts and nonprofit private schools.

Philosophically, parents choose to send their children to nonprofit private schools because they value the educational philosophy of these schools. A common assumption or myth is that all students attending nonprofit private schools are college-bound and have no need of vocational education programs. While many nonprofit private school students are headed for college, some students may be in need of alternatives. Any significant participation of students, public or private, in vocational education programs must begin with a thorough identification of the vocational education needs and interests of students and the stimulation

of an active interest in vocational education on the basis of these needs.

The Pennsylvania state laws go beyond the scope of the federal legislation by seeking to provide all students with access to all vocational education programs, not just in the three areas of cooperative vocational education programs, special programs for the disadvantaged and exemplary and innovative programs specified in the federal statutes. While the federal rules and regulations speak to just these three program areas, they are most specific in delineating steps to be taken by public schools in providing access to nonprofit private school students. A more indepth discussion of the provisions of both federal and state laws will be presented in Sections II and III of this Guide.

C. Background Information

Pennsylvania is one of seven states with a high concentration of private schools; it has 7.8% of the total number of private schools in the country. The geographic distribution of private schools shows that about half the private elementary and secondary schools in the United States are located in states mostly in the Northeast and Midwest (See Table I).

STATES WITH HIGH CONCENTRATIONS OF PRIVATE SCHOOLS, OCTOBER 1976

Rank	States with Private Schools	Number of Private Schools	Percent of U.S. Total
1	California	1,462	9.9
2	New York	1,462	9.9
3	Pennsylvania	1,151	7.8
4	Illinois	1,082	7.3
5	Ohio	694	4.7
6	Wisconsin	693	4.7
7	New Jersey	644	4.4
	TOTALS	7,188	48.7

Note: Based on the estimated 82.2 percent of all private schools responding to the NCES survey.

Source: Porter and Nehrt, Nonpublic School Statistics, 1976-1977, pp. 8, 14.

In Pennsylvania private elementary and secondary schools play a significant role in educating the children of the Commonwealth. According to the Office of Nonpublic Schools at the Pennsylvania Department of Education these schools enroll approximately 400,000 elementary and secondary school students, 16.4 percent of the total enrollment. The Vocational Education Management Information System (VEMIS) reports that approximately 1500 private school students participate in public vocational education programs. This is 1.8 percent of the total enrollment in vocational education programs. A basic assumption of this study is that students enrolled in nonprofit private institutions have the same employment readiness needs as their counterparts in the public education sector and therefore, they require comparable opportunities for preparation for employment.

SECTION II. FEDERAL LEGISLATIVE PROVISIONS REGARDING NONPROFIT PRIVATE SCHOOLS AND VOCATIONAL EDUCATION

The Vocational Educational Amendments of 1976 and the accompanying rules and regulations include quite specific and carefully delineated provisions regarding participation of students in nonprofit private schools. Building upon Part F of the 1968 Vocational Education Amendments, these current regulations apply to three areas: cooperative vocational education programs, special programs for the disadvantaged and exemplary and innovative programs. The regulations require that the public vocational education staff first identify students enrolled in nonprofit private schools who may have educational needs similar to their public school counterparts. After assessing the needs of these private school students in relation to the federally funded vocational education programs, genuine opportunities to participate in these programs should be provided.

A. Cooperative Vocational Education Programs

In its final form, the rule reads as follows:

> Sec. 104.533. Students in nonprofit private schools.
> (a) A state using funds under its basic grant [Section 120 of the Act] for grants to local educational

agencies for cooperative vocational education programs shall consult with the appropriate nonprofit private school.

(b) Each local educational agency receiving funds from the state for cooperative vocational education programs shall:

(1) Identify the students enrolled in nonprofit private schools in the area served by the local educational agency whose educational needs are of the type which the cooperative vocational education programs and services may benefit; and

(2) Assess adequately the needs of the students identified in subparagraph (1) . . . for the cooperative vocational education programs and services being offered; and

(3) Provide the students identified in subparagraph (1) of this paragraph with the opportunity for cooperative vocational education programs and services in a manner which will most effectively meet the needs of these students.

(c) The personnel, materials and equipment necessary to provide cooperative vocational education programs and services to nonprofit private school students shall remain under the administration, direction and control of the local educational agency.

(d) Cooperative vocational education programs carried out by local educational agencies which include students enrolled in nonprofit private schools may be supported up to 100 percent with Federal funds.

(e) Federal funds used to support cooperative vocational education programs which include students enrolled in nonprofit private schools will not be commingled with state or local funds so as to lose their identity.

B. Exemplary and Innovative Programs

Sec. 104.706. Use of funds for exemplary and innovative programs.

(a) The research coordinating unit may use funds available under section 130 of the Act directly or by contract for . . .

(b) (2) To the extent consistent with the number of students enrolled in private nonprofit schools in the area to be served, whose educational needs are of the type which the program is designed to meet, make provision (in accordance with the requirements set forth in Sec. 104.533) for the participation of these students in the programs, and also

(3) Provide that the Federal funds made available for exemplary and innovative programs to accommodate students in nonprofit private schools will not be commingled with State or local funds.

(Sec. 132(b); 20 U.S.C. 2352.)

C. Special Programs for the Disadvantaged

Sec. 104.803. Students in nonprofit private schools. A State may grant funds to eligible recipients only if:

(a) Provision (in accordance with the requirements set forth in Sec. 104.553) has been made for the participation of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the programs or projects involved is to meet, to the extent consistent with the number of such students; and

(b) Effective policies and procedures have been adopted which assure that Federal funds made available under this subpart to accommodate students in nonprofit private schools will not be commingled with State or local funds.

(Sec. 140(b) (2); 20 U.S.C. 2370.)

The full text of both the legislation and the rules and regulations dealing with public and private school cooperation are included in Appendix A of the Guide.

SECTION III. PENNSYLVANIA LEGISLATIVE PROVISIONS

In addition to being cognizant of relevant federal legislative provisions and rules and regulations, public and private educational administrators need to be familiar with relevant provisions of Pennsylvania state statutes. The following section of this Guide identifies specific statutory references in the Pennsylvania School Code which relate to the provision of access of nonprofit, private school students to publicly funded vocational education programs.

The Pennsylvania Code does not parallel the federal statutes and rules and regulations, therefore, in citing Pennsylvania statutory references it is necessary to draw from various articles and sections of the Pennsylvania School Code, Public Law 939, Amended May 9, 1949[1] as well as rules and regulations promolgated by the Pennsylvania Department of Education.

A. Access to Vocational Education

The Pennsylvania statutes provide that no pupil shall be refused admission to courses in public schools by reason of the fact that the student is receiving an education in a nonprofit private school. This basic statutory principle sets the stage for nonprofit private school students to participate in public vocational education programs. In addition, the general policy of the State Board of Education states that every youth attending secondary school should be provided with the opportunity to receive vocational education.

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[1] This is not an exhausting analysis of the entire school code; only the most relevant sections have been identified for the purposes of this study. Interpretations of these statutes are made from a research and not an official legal interpretation by the State of Pennsylvania.

Article V: Duties and Powers of Boards of School Directors

Section 502. Additional Schools and Departments. In addition to the elementary public schools, the board of school directors in any school district may establish, equip, furnish, and maintain the following additional schools or departments for the education and recreation of persons residing in said district, and for the proper operation of its schools, namely: High schools, Trade schools, Vocational schools, Technical schools, . . .

No pupil shall be refused admission to the courses in these additional schools or departments, by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school. (Amended May 9, 1949, P.L. 939.)

Article XVIII: Vocational Education

Regulations of the State Board of Education:

Section 6.2. General Policy. (b) It shall be the policy of the State Board of Education through the Department of Education to provide every youth attending secondary school with the opportunity to receive vocational education which will facilitate the attainment of economic independence and the development of human potential.

B. Part-time Attendance

The attendance of nonprofit private school students in public school programs is facilitated by allowing pupils to enroll full-time or part-time.

Article XVIII: Vocational Education

Section 1841. Area Vocational-Technical Schools and Technical Institutes Authorized. An area vocational-technical board may establish, maintain, conduct and

> operate schools, departments or classes. . . for the education of pupils, out-of-school youth and adults residing in the attendance area.
>
> Area Vocational-technical schools, as approved by the State Board for Vocational Education, may be organized as vocational-technical service centers in which pupils may enroll full-time or in which pupils enrolled in academic high schools may elect to attend part-time.

C. Facilities:

Nonprofit private school students who participate in public vocational education programs are counted as public school students. Therefore, there is no statutory reference regarding the facility in which instruction occurs for nonprofit private school students.

Some components of a vocational education program, however, such as support services for the educationally disadvantaged, vocation guidance and counseling and testing services are considered auxiliary services and not instruction. These auxiliary services might be provided to nonprofit, private school students under Act 89, the auxiliary service statute, depending on needs identified by nonpublic school administrators.

Act 89 regulations describe the delivery of auxiliary services to nonprofit private school students, including reference to the facilities to be used in delivering the services. These services can be rendered in a public school building, at a neutral site, or in a mobile van.

Counsel for the Pennsylvania Department of Education has interpreted the facilities section in the Act 89 regulations to apply to the delivery of instructional services, such as vocational-technical instructional programs. Therefore, vocational educational programs can be provided to nonprofit private school students in the same configuration of facilities specified for auxiliary services, namely, in a public school building, at a neutral site, or in a mobile van.

Pennsylvania School Code - Rules and Regulations
Title 22. Education
Chapter 112. Auxiliary services for Nonpublic School Students

Sec. 112.26. Facilities.

(a) Auxiliary services may be provided only in:

(1) public school buildings, or

(2) facilities leased by the intermediate unit in accordance with the provisions of Title 22, Pennsylvania Code, Sections 17.11-17.15, except that no facilities shall be leased in areas excluded in item (6), or

(3) nonpublic nonsectarian schools, or

(4) mobile units leased by and under the exclusive control of the intermediate units not permanently parked, or

(5) demountable units, trailers, tractor trailers, quonset huts and other prefabricated units not permanently parked, installed, or constructed on areas excluded in item (6), or

(6) other appropriate areas, excluding churches, synagogues or areas under the control thereof or facilities under the control of a sectarian school.

(b) Provisions of this section shall not be interpreted to prohibit the intermingling of public school students where services are rendered to groups of students.

D. Transportation

A specific legislated service available to nonprofit private school students in the Commonwealth of Pennsylvania is access to free transportation when provided by the board of school directors in any school district to public school students. Local district practices include home to school and school to school transportation for the purpose of allowing students to attend vocational education programs.

Article XIII: Pupils and Attendance

Section 1361: Transportation When Provided. The board of school directors in any school district may, out of the funds of the district, provide for the free transportation of any resident pupil to and from the kindergarten, elementary

school, or secondary school in which he is lawfully enrolled, provided that such school is not operated for profit and is located within the district boundaries or outside the district boundaries at a distance not exceeding ten miles by the nearest public highway, except that such ten-mile limit shall not apply to area vocational technical schools which regularly serve eligible district pupils or to special schools and classes approved by the Department of Education, . . . Such transportation of pupils attending nonpublic schools shall be provided during regular school hours on such dates and periods that the nonpublic school not operated for profit is in regular session, according to the school calendar officially adopted by the directors of the same in accordance with provisions of law.

SECTION IV. PRACTICAL SUGGESTIONS REGARDING NONPROFIT PRIVATE SCHOOL STUDENTS ACCESS TO PUBLIC VOCATIONAL EDUCATION PROGRAMS

The legislative base, both federal and state, exists for providing access for nonprofit private school students to publicly funded vocational education programs. The implementation of these laws, however, rests heavily upon local options to choose among alternative operating practices. These day-to-day operating practices are significant in shaping the nature and quality of the public/private school relationship for providing vocational education opportunities to nonprofit private school students. The following are operational issues which confront administrators and some practical suggestions for addressing them.

A. Identification of Nonprofit Private Schools

A basic requirement for establishing a cooperative relationship between public and nonprofit private schools is knowledge of each others identity and location. Access to this information is available through the Director of Transportation, when transportation is provided, the Intermediate Unit District which provides Auxiliary Services to nonprofit private school students or from the Office of Nonpublic Schools at the Pennsylvania Department of Education. For public school districts which

offer vocational education programs in the areas of cooperative, vocational education, exemplary and innovative or special programs for the disadvantaged, the responsibility lies with the public school administrator to consult with the nonprofit private school to identify and assess the needs of students who may benefit from these programs.

B. Publicizing the Benefits and Opportunities for Vocational Education Programs

Since lack of information about the broad range of services and opportunities is a concern for both public and nonprofit private school students and administrators aggressive outreach programs are necessary. There are often misconceptions about the quality and efficacy of vocational education programs and misguided stereotypes which need to be addressed. Outreach programs may include:

- Orientation programs in 9th or 10th grade for public and nonprofit private school students.
- Mobile vans which provide hands-on experience for students in some course offering and program areas.
- Mailing of descriptive vocational education materials to nonprofit private school personnel on vocational education program offerings.
- Guidance and Counseling sessions with students to expose them to the opportunities available through vocational education programs.
- Orientation programs for nonprofit private school parents, faculty and students.
- Invitations to nonprofit private school representatives to attend state and local conferences, conventions and other meetings that deal with vocational education.
- Sharing with nonprofit private school representatives Federal, State and local newsletters, reports and other documents that are routinely distributed to state and local public vocational education administrators.

- Invitations to nonprofit private school representatives to serve on local vocational education advisory councils.
- Sharing films, slides, video-tapes and other vocational guidance media presentations with nonprofit private school representatives.

C. Assessing Student Needs for Vocational Education

The Vocational Education Amendments of 1976 and accompanying Rules and Regulations require explicit assurances that must be included in each state's five-year plan for vocational education in regard to nonprofit private school students' participation in Federally funded programs of vocational education. The Rules and Regulations under Sec. 104-533 require that a state conducting programs of cooperative vocational education, exemplary and innovative programs and/or special programs for the disadvantaged, provide assurances in the approved five-year plan that an assessment has been made of the needs of nonprofit private school students in these program areas. These Rules and Regulations also require that each local educational agency receiving funds under P.L. 94-482 for operating programs in these areas conduct the assessment of the vocational education needs of nonprofit private school students.

A student needs assessment is a basic comparison of what is available, in terms of existing vocational education courses and programs, compared to the expressed need or interest of nonprofit private school students for these programs. The following are characteristics of the needs assessment process:

1. Student needs should be assessed ideally on an individual basis.
2. Students needs should include a determination of the students interests, skills and aptitudes for vocational education programs.
3. A mechanism should exist for matching student needs with available program offerings.
4. Needs assessments have optimum benefit when they are planned early in the program application cycle so that responses from nonprofit private schools are not jeopardized because of an unrealistic response date.

Considerations in planning and conducting a timely needs assessment may include such items as:

1. scheduling the needs assessment early in the local planning and program application cycle;
2. leaving time in the schedule to encourage nonprofit private school involvement in working out the details of a cooperative relationship;
3. making certain that nonprofit private school administrators are fully aware of the possible benefits to their students from vocational education programs;
4. informing nonprofit private school administrators and students about the specific public vocational education programs in which they are eligible to participate;
5. making certain that nonprofit private school representatives understand the student eligibility requirements and that these requirements are the same for public school students.

D. Communication Strategies

Most often the initial contact to determine the interest and intent of nonprofit private school students in participating in vocational education programs occurs at the administrator level between principals. Experience has shown that cooperation is most effectively established when a contact person in the public school works closely with a contact person at the nonprofit private school. This person to person relationship is the key to cooperation. Often these two persons are guidance counselors at their respective schools. Communication can also be facilitated by the vocational counselor at the intermediate unit district who provides guidance services to nonprofit private school students. Some additional suggested procedures for fostering communication include:

1. A meeting between the nonprofit private school and public vocational education contact persons scheduled early in the relationship. Suggested topics for discussion at an initial meeting are:

a. The main features of both institutions' educational programs.
b. Pattern of communication between schools, such as: Who should be contacted at each school in the case of a special problem, emergency, school closing? How should nonprofit private school students report on the first day on-site? How should disciplinary cases be handled?
c. Operational concerns and issues such as transportation, scheduling, and student assessment.

2. If a more formal approach is deemed useful, the preparation of a letter of interest or program proposal will ensure that both institutions are aware of the terms and conditions of a cooperative arrangement. Items for consideration include:

a. Brief description of program(s)
b. Scheduling
c. Transportation
d. Student eligibility
e. Student assessment and credit transfer procedures
f. Name of person(s) in each institution designated as contact person

3. Prior to nonprofit private schools students' involvement in the vocational education program, a brief orientation session is helpful. The orientation session should be held at the public vocational school for the purposes of:
a. familiarizing students with the vocational school's policies, schedule, and facilities
b. discussing safety practices
c. answering student questions

Furthermore, it is suggested that for those relationships which have been ongoing there be a periodic review to evaluate ways in which the relationship may be improved. This is especially important as new

administrators or contact persons are appointed. Often cooperative relationships can be enhanced and strengthened by a re-examination of operational issues such as scheduling, transportation and outreach programs.

SECTION V. QUESTIONS AND ANSWERS

This section is designed to address some of the more frequent questions raised by local educational administrators. Where alternative solutions are possible these have been indicated.

Q. For which vocational education programs are nonprofit private school students eligible?

A. While the federal rules and regulations speak to only three program areas - cooperative, exemplary and disadvantaged - for providing private school students with opportunities for public vocational education, the laws of the Commonwealth of Pennsylvania state that all students shall have access to all vocational education programs. The eligibility requirements shall be the same for nonprofit private school students as their public school counterparts.

Q. The 1976 federal rules and regulations speak to providing opportunities for nonprofit, private school students in special programs for the disadvantaged, for cooperative and exemplary and innovative vocational education programs. Do local education agencies have specific implementation procedures to follow to be in compliance with the law?

A. No, the implementation procedures are not specified. The choice of strategy is a matter of local option. However, the following proce-

dures have been found to be effective in providing access for nonprofit private school students.

1. The more formal approach begins with a letter sent to the principal or headmaster of each of the schools serving resident students. This letter, which might include descriptive materials regarding program offerings and eligibility requirments should inquire whether private school students are interested in participating in public vocational education programs. The letter is most effective when sent early in the planning and application cycle, probably in September or October, in coordinating the program for the following school year. A written response may be requested of the private school administrator to document the contact which which has been made.

   A follow-up phone call helps to stimulate interest and increase the level of information about the opportunities for vocational education. For schools with interested students, the designation of formal contact persons at both the public and the private school can facilitate application and other operational issues.

2. The more informal approach involves primarily verbal contact between the public and private school administrators and/or staff. This approach works well when both public and private school personnel have a history of good

communication and mutual respect and have more than basic information about each others philosophy, students and programs.

This informal approach may be most appropriate for public/ private cooperative relationships which are ongoing and working well.

Q. Which vocational education program does a nonprofit private school student attend, the program in the district of residence, or the program in the district in which the private school is located? What options are available to district administrators?

A. Nonprofit private school students have access to the vocational education offerings available to them in their district of residence. The actual choice of program rests with the resident district school administrator (assuming availability of space and appropriateness of programs.) In deciding among the options available to them resident school administrators may wish to consider such factors as transportation costs and scheduling difficulties. It may be that the option of paying out-of-district tuition has a higher cost benefit to the district as well as being the more educationally sound decision.

Q. Who is responsible for transportation costs if the student resides in one school district and the nonprofit private school is located in another school district?

A. The district of residence is responsible for transportation costs for the nonprofit private school student the same as provided to the public school student in the district of residence with the exception of field trips.

Q. Do some vocational education program schedules appear to be more amenable to the participation of nonprofit private school students than others?

A. Yes; discussions with public and nonprofit private school administrators indicate that vocational education programs organized on a half-day basis, rather than the 3, 6 or 9 week-about programs, can be most readily adapted to by nonprofit private school administrators, their parents and students. The half-day program permits continuing identity and daily contact between nonprofit private school students and their home school. This is an important consideration in planning the vocational educational schedule to accommodate the greatest number of students.

APPENDIX A

FEDERAL RULES AND REGULATIONS FOR VOCATIONAL EDUCATION LEGISLATION, PUBLIC LAW 94-485, THAT RELATE TO NONPROFIT PRIVATE SCHOOL STUDENTS

Citation	Legislation	Citation	Rules and Regulations
	COOPERATIVE VOCATIONAL EDUCATION PROGRAMS		COOPERATIVE VOCATIONAL EDUCATION PROGRAMS
20 USC 232	Sec. 122. Funds available to the States under section 120 may be used for establishing or expanding cooperative vocational education programs through local educational agencies with the participation of public and private employers. Such programs shall include provisions assuring that -- ...(f) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served, whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students; ...(g) Federal funds made available under this section to accommodate students in nonprofit private schools will not be commingled with State or local funds.	Sec. 104.532 Sec. 104.533	Assurances in five-year State plan. A State conducting cooperative vocational education programs under Sec. 104.531 shall provide assurances in the approved five-year State plan that: Students in nonprofit private schools. (a) A State using funds under its basic grant (Section 120 of the Act) for grants to local educational agencies for cooperative vocational education programs shall consult with the appropriate nonprofit private schools. (b) Each local educational agency receiving funds from the State for cooperative vocational education programs shall: (1) Identify the students enrolled in nonprofit private schools in the area served by the local educational agency whose educational needs are of the type which the cooperative vocational education programs and services may benefit; and (2) Assess adequately the needs of the students identified in subparagraph (1) of this paragraph for the cooperative vocational education programs and services being offered; and

APPENDIX A (cont.)

Citation	Legislation	Citation	Rules and Regulations
			(3) Provide the students identified in subparagraph (1) of this paragraph with the opportunity for cooperative vocational education programs and services in a manner which will most effectively meet the needs of these students. (c) The personnel, materials and equipment necessary to provide cooperative vocational education programs and services to nonprofit private school students shall remain under the administration, direction and control of the local educational agency. (d) Cooperative vocational education programs carried out by local educational agencies which include students enrolled in nonprofit private schools may be supported up to 100 percent with Federal funds. (e) Federal funds used to support cooperative vocational education programs which include students enrolled in nonprofit private schools will not be commingled with State or local funds so as to lose their identity. In developing policies and procedures, it shall not be necessary to require separate bank accounts for funds from Federal sources, so long as accounting methods will be established which assure that

APPENDIX A (cont.)

Citation	Legislation	Citation	Rules and Regulations
			expenditures of the funds can be separately identified. (Implements Sec. 122 (f); H. Rept. 1085, p. 46; 20 U.S.C. 2332.)
	EXEMPLARY AND INNOVATIVE PROGRAMS		EXEMPLARY AND INNOVATIVE PROGRAMS
20 USC 2352	Sec. 132. (a) Funds available to the States under section 130(a) may be used for contracts by State research coordinating units pursuant to comprehensive plans of program improvement for the support of exemplary and innovative programs.... (b) Every contract made by a State for the purpose of funding exemplary and innovative projects shall give priority to programs and projects designed to reduce sex stereotyping in vocational education and shall, to the extent consistent with the number of students enrolled in non-profit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provide for the participation of such students; and such contract shall also provide that the Federal funds made available under this section to accomodate students in nonprofit private schools will not be	Sec. 104.706	Use of funds for exemplary and innovative programs. (a) The research coordinating unit may use funds available under section 130 of the Act directly or by contract for... (b) (2) To the extent consistent with the number of students enrolled in private nonprofit schools in the area to be served, whose educational needs are of the type which the program is designed to meet, make provision (in accordance with the requirements set forth in Sec. 104.533) for the participation of these students in the programs, and also (3) Provide that the Federal funds made available for exemplary and innovative programs to accomodate students in nonprofit private schools will not be commingled with State or local funds. (Sec. 132(b); 20 U.S.C. 2352.)

APPENDIX A (cont.)

Citation	Legislation	Citation	Rules and Regulations
	commingled with State or local funds. (c) The annual program plan and accountability report covering the final year of financial support by the State for any such program or project shall indicate the proposed disposition of the program or project following the cessation of Federal support and the means by which successful or promising programs or projects will be continued and expanded within the state.		
	SPECIAL PROGRAMS FOR THE DISADVANTAGED		SPECIAL PROGRAMS FOR THE DISADVANTAGED
20 USC 2370	Sec. 140. (a) From the sums made available for grants under this subpart pursuant to sections 102 and 103, the Commissioner is authorized to make grants to States to assist them in conducting special programs for the disadvantaged [as defined in section 195(16)] in accordance with the requirements of this subpart. ...(2) Such funds may be granted to eligible recipients only if (A) to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the partici-	Sec. 104.803	Students in nonprofit private schools. A State may grant funds to eligible recipients only if: (a) Provision (in accordance with the requirements set forth in Sec. 104.553) has been made for the participation of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the programs or projects involved is to meet, to the extent consistent with the number of such students; and (b) Effective policies and procedures have been adopted which assure that Federal funds made available under this subpart to accomodate students in nonprofit private schools will not be commingled

APPENDIX A (cont.)

Citation	Legislation	Citation	Rules and Regulations
	pation of such students, and (B) effective policies and procedures have been adopted which assure that Federal funds made available under this subpart to accommodate students in nonprofit private schools will not be commingled with State or local funds.		with State or local funds. (Sec. 140(b) (2); 20 U.S.C. 2370.)